

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROY GREEN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:08cv604-SRW
)	(WO)
MICHAEL J. ASTRUE, Commissioner of)	
Social Security,)	
)	
Defendant.)	

JUDGMENT

Upon consideration of the motion to remand filed by the Commissioner on February 17, 2009 (Doc. # 15), and plaintiff's consent to remand (Doc. # 18) it is the ORDER, JUDGMENT and DECREE of this court that the motion is GRANTED, the decision of the Commissioner is REVERSED, and this action is REMANDED to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings as set forth in the Commissioner's motion.¹

Done, this 23rd day of February, 2009.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
CHIEF UNITED STATES MAGISTRATE JUDGE

¹ In the event that plaintiff is awarded benefits on remand, plaintiff shall have 90 days after plaintiff receives notice of the amount of any award of past due benefits to seek fees from this court pursuant to 42 U.S.C. § 406(b).